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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/579,891	05/26/2000	Hiroto Nagahisa	2611-0128P	9944

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EXAMINER

AN, SHAWN S

ART UNIT	PAPER NUMBER
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2613

DATE MAILED: 08/17/2004

15

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/579,891

Applicant(s)

NAGAHISA ET AL.

Examiner

Shawn S An

Art Unit

2613

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 June 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. As per Applicant's instructions in Paper 14 as filed on 6/10/04, claims 1 and 9 have been amended, and claims 17-19 have been canceled.

Response to Reconsideration

2. Applicants' arguments with respect to claims 1-16 have been carefully considered but are moot in view of the new ground(s) of rejection, but still relying on the Applicant's admitted conventional prior art.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's admitted conventional prior art (substantially the same as JP 10240774).

Regarding claims 1 and 9, Applicant's admitted conventional prior art (JP 10240774) discloses an image collection apparatus, comprising:

- an image acquisition unit (Fig. 28, 107) for acquiring an image;
- an event detection unit (108) for detecting an event based on the image;
- an event data creation unit (Fig. 29) for creating event data indicative of at least a generation time (TIME) and contents (TYPE, CODING) of the event detected;
- a macro event definition unit (Fig. 30) for defining a macro event including at least a first event (Ev003) and a last event (Ev006) related to each other, and having a time width (600S), equivalent to a specific range between a beginning of the at least first

event to an end of the last event, by using the generation time (see Times) and contents (TYPE) of the event;

a macro event data creation unit (Fig. 30) for creating macro event data by structuring the at least first event (Ev003) and the last event (Ev006) from a plurality of event data generated by the event data creation unit based on definition contents (TYPE) of the macro event, and allowing dependent storage (104) and retrieval of the at least first event and the last event (108; Applicant; page 5, lines 19-21);

an image recording unit (104) for recording an image of a macro event corresponding to the macro event data;

a retrieval unit (108; Applicant; page 5, lines 19-21) for retrieving a desirable macro event based on the macro event data; and

a display unit (106) for acquiring an image of the macro event retrieved from the image recording unit and displaying the image.

Applicant's admitted prior art does not specifically disclose a time width equivalent to an entire range between the beginning of the at least first event to the end of the last event.

However, since the prior art teaches the time width equivalent to a specific range between a beginning of the at least first event to an end of the last event, it would have been obvious to a person of ordinary skill in the art employing an Applicant's admitted conventional prior art to expand the time width, so as to selectively observe/view a desired event comprising the beginning to the end.

Regarding claims 2 and 10, JP 10240774 reference discloses a temporary storage unit for temporarily storing the images acquired by the image acquisition unit, wherein the recording unit extracts and records an image related to an event detected by the event detection unit from the image temporarily stored by the temporary storage unit (13; abstract).

Regarding claims 3 and 11, Applicant's admitted conventional prior art does not seem to particularly disclose the macro event being further defined as including repetition of a predetermined event in a series of events.

However, the Examiner takes official notice that it is well known in a surveillance art for an event detecting device to detect a repetition of a predetermined event in a series of events (note: Klein et al (6,064,303)).

Therefore, it would have been obvious to a person of ordinary skill in the art employing an Applicant's admitted conventional prior art to incorporate the macro event definition unit further defining repetition of a predetermined event in a series of events for a well known reason of keeping track of events that are occurring at least more than once.

Regarding claims 4-5 and 12-13, Applicant's admitted conventional prior art does not seem to particularly disclose summarizing the image of the macro event.

However, the Examiner takes official notice that it is well known in a surveillance art for an image summary unit to summarize an image of an event by comparing non-selected static image with a selected static image on a time basis (note: Klein et al (6,064,303)).

Therefore, it would have been obvious to a person of ordinary skill in the art employing an Applicant's admitted conventional prior art to incorporate image summary unit for summarizing an image of an event by comparing the selected macro event image with the non-selected macro event image, whereby the recording unit records the macro events summarized by the image summary unit so that an user/operator has the means to review the summary of the macro event images.

Regarding claims 6, 8, 14, and 16, Applicant's admitted conventional prior art does not seem to particularly disclose measuring or predetermined analyzing processing based on a data related to the image.

However, the Examiner takes official notice that it is well known in an image collection art for a measuring unit (note: prior arts (4,847,772) or (4,257,063)) such to measure a data related to the image and an analysis unit (note: Lemelson et al (4,653,109)) for predetermined analyzing of a data related to the image.

Therefore, it would have been obvious to a person of ordinary skill in the art employing an Applicant's admitted conventional prior art to incorporate the measuring unit for measuring a data related to the image, so that the measured data can be stored

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at a measured data storage unit and the analysis unit can analyze a data related to the image of the macro event, whereby the display unit obviously displays the measured and analyzed image data related to the macro event for further reviewing.

Regarding claims 7 and 15, Applicant's admitted conventional prior art discloses a plurality of image acquisition devices (101), wherein the image recording unit (104) selects one of image acquisition units corresponding to the macro event from a plurality of images, as the image of the macro event (Fig. 31).

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to **Shawn S An** whose telephone number is 703-305-0099. The Examiner can normally be reached on Flex hours (10).

7. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

8. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, consisting of a large, stylized loop followed by a horizontal stroke and a small upward flick.

SSA

Primary Patent Examiner

8/13/04